

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION**

Thrift Development Corporation)
)
 Plaintiff,) CA 8:12-861-MGL
)
 vs) **Opinion and Order**
)
 American International Group, Inc.;)
 Chartis Inc. And American Home)
 Assurance Co.,)
)
 Defendants.)
)

This matter comes before the Court on Defendants' motion filed pursuant to Rules 12(b)(6), 12(b)(2), and 12(f) of the Federal Rules of Civil Procedure for an Order dismissing Plaintiff's Complaint and/or striking from the Complaint Plaintiff's exemplary damages allegations. Plaintiff opposes Defendants' motion.

On September 20, 2012, the Court held a hearing wherein counsel for both parties presented arguments. After consideration of the arguments of counsel, review of the applicable law and the memoranda submitted, the Court finds that Defendants' motion to dismiss and/or strike should be and is hereby DENIED.

IT IS SO ORDERED.

s/ Mary G. Lewis
United States District Judge

September 21, 2012
Spartanburg, South Carolina